

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

1100 East Main Street, Suite 501, Richmond, Virginia 23219

www.ca4.uscourts.gov

January 27, 2021

REMOTE ORAL ARGUMENT NOTIFICATION

No. 20-1409, Maxwell Kadel v. N.C. State Health Plan
1:19-cv-00272-LCB-LPA

This case has been calendared for remote oral argument. If the case is subsequently submitted on the briefs or removed from the calendar, counsel will receive further notice from the court.

Argument Date: 03/11/2021

Argument Starting Time: 9:30 a.m. (join conference 30 minutes before argument)

Counsel shall complete and file the remote oral argument acknowledgment form within 2 business days of this notice. (Link to Form: [Oral Argument Acknowledgment for Remote Argument form](#). ECF Event: **Oral Argument Acknowledgement for Remote Argument**).

Arguing counsel **must** participate in a testing session prior to argument. Testing sessions are offered on Thursdays at 2 pm ET and Fridays at 11 am ET. See the attached notice for details.

A live audio-stream of the oral argument is provided at: <https://www.ca4.uscourts.gov/oral-argument/remote-oral-arguments> for anyone not participating in the argument.

The identity of the panel hearing a case is not disclosed until the morning of argument.

Joseph L. Coleman, Jr., Calendar Clerk

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REMOTE ORAL ARGUMENT INFORMATION

To: March 2021 Arguing Attorneys

March oral arguments will be held via ZoomGov. If all judges on the panel are using a phone connection for the Zoom conference, arguing counsel will participate via audio only. Otherwise, counsel will use both audio and video during their argument.

Important information regarding setting up, testing, and participating in remote arguments is provided below.

Initial Zoom Set Up

- You do not need a Zoom account to participate in oral arguments. However, you do need to have the Zoom client installed on a laptop with a camera and mic. You can download the Zoom Client for Meetings at <https://zoom.us/download>.

Testing

- Test your mic, speakers and camera from where you will be sitting during argument by going to <https://zoom.us/test>. Test as soon as possible in case you need to adjust or purchase equipment.
- The Fourth Circuit is also providing **1-hour** testing windows every **Thursday at 2 pm ET** and **Friday at 11 am ET, February 4th through March 5th**. Arguing counsel **MUST** participate in a testing session prior to argument. If you are unable to attend one of the prescheduled test sessions, please contact Mike Dean or Jackie Quella at 804-916-2708.
- Join a test session using the information below:

Thursdays:

- <https://www.zoomgov.com/j/1618767700?pwd=VEdYMGMxYINWMIhUb1g2SEdLMExYdz09>

- **Join by SIP:** 1618767700@sip.zoomgov.com
- **Join by H.323:**
 - 161.199.138.10 (US West)
 - 161.199.136.10 (US East)
 - Meeting ID: 161 876 7700
 - Passcode: 133676

Fridays:

- <https://www.zoomgov.com/j/1619431699?pwd=bnVnM2Q1dGx5dXFmSDBUcDBBSmJaUT09>
- **Join by SIP:** 1619431699@sip.zoomgov.com
- **Join by H.323:**
 - 161.199.138.10 (US West)
 - 161.199.136.10 (US East)
 - Meeting ID: 161 943 1699
 - Passcode: 850076

Argument Connection Information

- An invitation to your argument panel will be sent one week prior to argument.

Day of Argument

- Use the link provided in the argument invitation to join the session **30 minutes prior** to the panel start time.
- Your laptop must be plugged in to a power source, not running on battery power.
- Connect to a network with Internet access via wired ethernet cable or a strong wireless network that is not also being used for other streaming.
- You will be instructed by the conference manager to mute your mic and toggle your camera off if your case has not been called.
- When your case has been called, toggle your camera on. Unmute your mic when it is your turn to present argument.
- Click **Gallery View** (as opposed to **Speaker View**) in the upper right corner to see all participants on the call.
- To display the judges, timer, and attorneys in the current case, select "**Hide non-video participants.**" To do so, click on the arrow to the right of the "Video" button at the bottom of your screen. Click on the "Settings" tab that pops up and check "Hide non-video participants."

- If you get disconnected, reconnect with the link provided and you will be readmitted to the conference. The conference manager will stop the argument and clock if a participant drops from the call.

Tips

- Use a business-suitable background/location. A solid wall works great! The more going on behind you, the more distracting!
- Position a light so it is facing toward you to ensure that others can see you clearly on screen.
- You may sit or stand to present argument and should speak directly into the camera.
- Minimize hand gestures during argument as movement can cause your camera to freeze.
- Attire and decorum are the same as for in-person arguments. Wear clothing that will distinguish you from your background.
- Position yourself in a quiet place to eliminate background noise.
- Wear a wired headset with a microphone during argument, if possible. A headset with mic greatly improves audio quality.
- Be alert for questions and stop speaking in order to hear and respond to the question.

Warnings

- Do NOT use your mobile phone or any other type of hotspot to connect your device to the Internet; this will result in a limited connection greatly affecting your Zoom meeting experience.
- Do NOT connect to a work or home VPN; it can cause sync issues.
- Do NOT use a web browser to join the meeting. This method has limitations that will impact your experience in the Zoom meeting.
- Do NOT position your camera facing a window. You will appear on the screen as a silhouette.
- Do NOT position yourself next to an air conditioner. The excessive background noise will interfere with the Zoom meeting.
- Do NOT answer any phone calls if you are joined by phone to the Zoom meeting. Answering a call will disconnect you from the Zoom meeting and you will need to rejoin at a loss of your time.

Basic Troubleshooting

- If you cannot see yourself on the screen, see if there is a red backslash across the camera icon on the bottom left. If so, your video is off and you need to click the icon again to turn it on.
- If your video is on but displaying from an unwanted camera (ex: Surface tablets have two cameras), click the up arrow next to the camera icon and select the desired camera.
- If others cannot hear you, see if there is a red backslash across the microphone icon on the bottom left. If so, your mic is muted and you need to click the icon again to turn it on.
- If others cannot hear you, look for "Join Audio" on the bottom left. If you see it, click that icon then "Join Computer Audio" to connect your audio to the call.
- If your mic is unmuted but others cannot hear you or you cannot hear others, click the up arrow next to the microphone icon and select the desired microphone and speakers.
- If you hear an echo/ringing during testing, either your mic is too close to your speakers or your speakers are too loud and are feeding back into your mic causing a loop. If this occurs, lower your speaker volume or move your mic away from the speakers.

Additional Information

- You will be advised of the identity of the panel via email by 8:30 on the morning of argument.
- Attorneys in consolidated criminal appeals who are appearing, but not arguing, on behalf of their client should join the Zoom session with their camera and microphone muted. Other attorneys and clients may listen live to remote oral arguments at <https://www.ca4.uscourts.gov/oral-argument/remote-oral-arguments>. Open the oral argument calendar for the session, find your case, and click on the Listen link at the foot of the page.